

REMARKS

All claims pending in the application have been rejected. Claims 8, 9, and 13-16 amended. Claim 10 is canceled. Applicant respectfully requests reconsideration of the rejection of each claim pending in the application in light of the current amendments to the claims.

Information Disclosure Statement

The IDS filed on May 6, 2005, has been objected to for failing to provide the English translation of the abstract of the foreign patent documents CN1353367 and CN 1333965. Applicant respectfully disagrees with the objection. A translation of the International Search Report was filed with the application, and was therefore in the file at the time the application was considered on the merits. Therefore, the IDS was in full compliance with the IDS regulations. Applicant respectfully request that the two noted foreign patent documents be considered and made of record.

Objections to the Drawings

The drawings have been objected to for lacking a descriptive legend for the acronyms AT, AR, BT, and BR, in Figure 2, and for including in Figure 2 the reference characters "AT" and "capping process" not mentioned in the description.

A replacement sheet for Figure 2 is attached to this paper. The acronyms AT, AR, BT, and BR have been replaced with A Transmit, A Receive, B Transmit, and B Receive, respectively. Support for these translations of the acronyms can be found in the specification, for example, on page 7, line 6, "If the receiving end (i.e., "AR" shown in Fig. 2)", page 8, line 2, "...it will send the LFP frames immediately to the Ethernet access part BR," page 8, line 17, "...it stops receiving data from Ethernet access part BT." Although AT is not mentioned in the specification, it is clear from Figure 2 that AT is User Device A's analog to BT.

The reference character "AT" no longer appears in Figure 2, and has been replaced with A Transmit. A Transmit may be the portion of User Device A responsible for transmitting to EOS#A. The reference character "Capping process" has been removed from Figure 2.

Applicant respectfully requests that the objections to the drawings be withdrawn in light of the changes made on the replacement sheet for Figure 2.

Objections to the Claims

Claim 12 has been objected to under 37 CFR 1.75(c) as being of improper dependent form. Claim 12 is a duplicate of claim 10. Both claims are dependent on claim 8. Claim 10 has been canceled, so claim 12 is now in proper dependent form. Applicant respectfully requests that the objections to the claims be withdrawn in light of the cancellation of claim 10.

Rejections under 35 USC 112

Claims 13-16 have been rejected under 35 USC 112 for being indefinite. Claim 13 has been rejected for containing the limitations "said framing" and "the control field" without proper antecedent basis. Claim 13 depends from claim 8. Claim 8 has been amended to replace "phrasing" with "interpreting", and claim 13 has been amended to replace "said framing" with "said interpreting." "Phrasing" and "framing" were the result of translation errors, and have been replaced in the claims and specification. Claim 8 has also been amended to include the limitation of "a control field."

Claim 14 has been rejected for containing the limitation "said lower threshold" without proper antecedent basis. Claim 14 depends from claim 13, which depends from claim 8. Claim 8 has been amended to include the limitation "a lower threshold."

Claim 15 has been rejected for containing the limitation "said user device" without proper antecedent basis. Claim 15 has been amended to include the limitation "a user device" in place of "said user device" on line 4.

Claim 16 has been rejected for containing the limitation "said lower threshold" without proper antecedent basis. Claim 16 depends from claim 15, which depends from claim 8. Claim 8 has been amended to include the limitation "a lower threshold."

The limitations of claims 13-16 now have proper antecedent basis.

Rejection under 35 USC 102

Claims 8-10, 12, 17-19 and 22-29 have been rejected under 35 USC 102 as being unpatentable over European Patent Application No EP 1006751 A2 (Ramsden). Applicant respectfully requests reconsideration of the rejection of each claim pending in the application in light of the current amendments to the claims.

Claim 8 has been amended to incorporate the feature of “if the data volume exceeds an upper threshold of the frame cache, the created LFP frames contain a control field which controls to stop sending data, and if the data volume is lower than a lower threshold of the frame cache, the created LFP frames contain a control field which controls to start sending data.” Support for this feature may be found in paragraph 26, 29, 30, 32 and 33 of the US Publication No. 2005/0235013 A1 for the present application.

Applicants respectfully submit that Ramsden does not disclose at least the above cited feature of amended claim 8. Ramsden appears to disclose a flow-control method for data traffic transmitted through Synchronous Digital Hierarchy network, wherein buffer monitor 416 in an Ethernet switch monitors the amount of data in frame receipt buffer 414 with respect to one predetermined threshold level; upon detecting excess receipt of SDH Ethernet based data packet frames in buffer 414, a pause frame is issued by pause frame store 420 and incorporated into the bit stream released by the frame stuffing means 412 across SDH link 102 (Ramsden col. 13, line 51 to col.14, line 4, and col. 16, lines 16-25; fig. 4 and fig. 7) so as to inhibit an opposite Ethernet switch from transmitting data frames for the amount of specified in the pause frame (Ramsden to col. 18, lines. 11-20; fig. 8)

In contrast, according to the present claims, the first EoS device may create one or more LFP frames containing a control field which can control stopping or starting the sending of data according to the volume of data in the frame cache of the first EoS device. If the data volume exceeds an upper threshold of the frame cache, the created LFP frames contain a control field which controls to stop sending data, and if the data volume is lower than a lower threshold of the frame cache, the created LFP frames contain a control field which controls to start sending data.

Ramsden only discloses or suggests the use of one predetermined threshold to generate a pause frame, which may only control to stop sending data for a specified time period. Ramsden does not disclose or suggest utilizing two thresholds, an upper threshold and a lower threshold,

of the frame cache to create an LFP frame with a control field which can control to stop or start sending data, as in amended claim 8. Ramsden does not disclose or suggest creating an LFP frame with a control field which controls to start sending data according to the volume of data in the frame cache, causing the second EoS device to resume sending data.

For at least the foregoing reasons, claim 8 is submitted to be allowable over Ramsden. Claims 9, 10, and 12 are therefore allowable over Ramsden for at least being dependent on claim 8.

Claim 17 recites "creating and transmitting one or more flow-control frames to a second device coupled to said SDH network if said data volume is not between said upper threshold and said lower threshold, wherein if said data volume is greater than said upper threshold, at least one of said flow-control frames contains a control field to control said second device to stop transmitting data, and where if said data volume is less than said lower threshold, at least one of said flow-control frames contains a control field to control said second device to start sending data," similarly to claim 8. Claim 25 recites "each flow-control frame contains a control field that controls a data device coupled to said first device to either stop sending data or start sending data, where said control field is selected based on a comparison of a data volume in a receive cache of said second device to predetermined upper and lower thresholds," similarly to claim 8. Claims 17 and 25 are therefore allowable over Ramsden for at the reasons cited for claim 8 above. Claims 18, 19, and 22-24, and claims 26-29 are allowable over Ramsden for at least depending on claims 17 and 25, respectively.

Rejection under 35 USC 103(a)

Claims 13-16 have been rejected as being unpatentable over Ramsden in view of US Patent No. 7,031,341 B2 (Yu).

Claims 13-16 depend from claim 8. Claim 8 is allowable over Ramsden for the reasons cited above. Yu does not cure the deficiencies of Ramsden. Therefore, claims 13-16 are allowable over Ramsden in view of Yu for at least being dependent on allowable claim 8.

Claims 13-16 have been rejected as being unpatentable over Ramsden in view of US Patent No. 5,673,254 (Crayford).

Claims 11, 20 and 21 depend from claim 8. Claim 8 is allowable over Ramsden for the reasons cited above. Crayford does not cure the deficiencies of Ramsden. Therefore, claims 11, 20 and 21 are allowable over Ramsden in view of Crayford for at least being dependent on allowable claim 8.

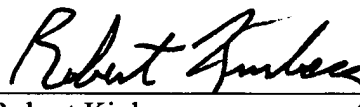
CONCLUSION

All of the stated grounds of rejection have been properly traversed. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Respectfully submitted,

Date:

12/19/07



Robert Kinberg

Registration No. 26,924

VENABLE LLP

P.O. Box 34385

Washington, D.C. 20043-9998

Telephone: (202) 344-4000

Telefax: (202) 344-8300

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